

County of Los Angeles CHIEF EXECUTIVE OFFICE

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April 21, 2011

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To:

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Supervisor Gloria Molina

Supervisor Mark Ridley-Thomas Supervisor Zev Yaroslavsky

Supervisor Don Knabe

From:

William T Fujioka

Chief Executive Officer

SACRAMENTO UPDATE

This memorandum contains three pursuits of County position on legislation related to changes to charter schools; increase in paid sick leave for certain employees; and deleting existing requirements for assessing the value of a motor vehicle from consideration when determining CalWORKs eligibility.

Pursuit of County Position on Legislation

AB 360 (Brownley), as amended on April 6, 2011, would make charter schools subject to several bodies of State law, including the Political Reform Act of 1974.

The Executive Office of the Board indicates that AB 360 contains a problematic provision related to the Political Reform Act. Specifically, the bill would require that the jurisdiction of a non-classroom charter school that does not have a facility, shall be in the county or counties where at least 10 percent of the pupils enrolled in the school reside. If at least 10 percent of the pupils do not reside in a single county, the jurisdiction of the charter school would be the county in which the greatest number of pupils reside.

There are charter schools that are on-line enterprises which are difficult to locate and contact. This would place serious obstacles to the County being able to comply with the proposed Political Reform Act's requirements for charter schools and would make enforcement duties extremely difficult to perform. Additionally, there is no information as to how many such charter schools might exist that would have to be handled by Los Angeles County under the bill's 10 percent requirement. The Executive Office of the Board also indicates that this provision of the bill is in direct conflict with existing statute contained in the Political Reform Act. Moreover, making a single county the

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code reviewing body and filing officer for a multi-county charter school is inconsistent with the administrative structure for this purpose in existing law.

AB 360 is similar to County-opposed AB 572 of 2010 which was vetoed by Governor Schwarzenegger. In his veto message, the Governor indicated that AB 572 would have applied new and contradictory requirements placing hundreds of charter schools out of compliance. The Governor further indicated that the measure was another attempt to discourage competition and stifle efforts to expand charter schools.

The Executive Office of the Board recommends that the County oppose AB 360 unless amended to define the jurisdiction of a non-classroom charter school that does not have a facility, should be the geographic boundaries of the State of California and not that of counties. This proposed amendment would make the Fair Political Practices Commission the code reviewing body and Form 700 filing officer for such charter schools, which is consistent with the existing administrative structure contained in the Political Reform Act for all other multi-county agencies.

The Executive Office of the Board and this office oppose AB 360 unless amended. Therefore, consistent with existing Board policy to oppose adverse State actions on the County and oppose unfunded mandates, the Sacramento advocates will oppose AB 360 unless amended.

AB 360 passed the Assembly Education Committee by a vote of 7 to 3 on April 5, 2011 and is currently on the Assembly Desk.

AB 360 is supported by the California Federation of Teachers, the California School Boards Association, California School Employees Association, Californians Aware, Los Angeles Unified School District, Public Advocates, Santa Clara County Office of Education, and United Teachers Los Angeles. This measure is opposed by the California Charter Schools Association.

AB 400 (Ma), as introduced on February 14, 2011, would require employers, including cities, counties, and special districts to provide one hour of paid sick leave for every 30 hours worked. The bill would also require employers to provide paid sick days, upon the request of the employee, for diagnosis, care, or treatment of health conditions of the employee or an employee's family member, or for leave related to domestic violence or sexual assault.

Several statewide organizations representing local governments, including the California State Association of Counties, the League of California Cities, the California Special Districts Association and the Association of California Healthcare Districts indicate that AB 400 will severely restrict the use of seasonal and temporary employees

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by placing additional administrative burdens and additional costs to counties to provide sick leave.

Furthermore, AB 400 would affect the In-Home Supportive Services (IHSS) Program. Employees under this program do not work a traditional work week and are paid for services provided and calculated by the hours they work. The program is funded by Federal, State and local funds. However, Federal funding would not be available to pay for sick leave and it is not clear what proportion of funding would be available to State and local governments if AB 400 were enacted.

The Chief Executive Office Employee Relations Branch indicates that AB 400 would require employers to track the accrual of sick time by employees even after they have separated from service, which would create an enormous workload and logistical burden for employers. Further, AB 400 would undermine the established collective bargaining process, and by mandating new benefits, would undermine local control over benefits and compensation.

The Department of Public Social Services (DPSS) indicates that AB 400 would require counties to cover the cost of sick days for IHSS workers not covered under a collective bargaining agreement, resulting in an estimated net County cost of approximately \$10.5 million per year.

The Department of Public Social Services and this office oppose AB 400. Therefore, consistent with existing Board policy to oppose legislation that mandates or authorizes compensation or benefit changes that increase County costs, the Sacramento advocates will oppose AB 400.

This measure is opposed by several organizations, including the California State Association of Counties, the Regional Council of Rural Counties, the California Association of Joint Powers Authorities, the League of California Cities, the California Special Districts Association and the Association of California Healthcare Districts. This measure is supported by the California Child Care Resource and Referral Network, the California Commission on the Status of Women, the California Labor Federation, AFL-CIO, the California Women's Law Center, Health Access California and others.

This measure passed the Assembly Labor and Employment Committee by a vote of 5 to 1 on April 13, 2011 and is scheduled for a hearing in the Assembly Judiciary Committee on April 26, 2011.

AB 1182 (Hernandez), as introduced on February 18, 2011, would delete existing requirements for assessing the value of a motor vehicle to exclude the value of a licensed motor vehicle from consideration when determining CalWORKs eligibility. Current law restricts the amount of liquid assets for CalWORKs applicants and

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recipients to \$2,000 and limits the exempt value of a vehicle a CalWORKs family may own to no more than \$4,650.

According to the New America Foundation, the sponsor of AB 1182, the measure would assist families in achieving economic self-sufficiency through work, creates social and fiscal responsibility and restores the stated goal of the CalWORKs Program. The sponsor of the bill also notes that California is currently one of three states having the most restrictive asset limits in the country. According to a 2006 study published by the Journal of Consumer Affairs, *Transitioning to Work: The Role of Private Transportation for Low-Income Households*, found that for the State's low-income working families, having access to a reliable car is critical in finding and maintaining employment and becoming economically self-sufficient.

The Department of Public Social Services indicates that AB 1182 would reduce the barriers to CalWORKs eligibility and increase access to those needy families who would otherwise be deemed ineligible because of owning one car above the market value of \$4,650. DPSS further notes that eliminating the vehicle asset limit would help ensure that CalWORKs families have reliable transportation to travel to work or school, attend trainings, and to take children to child care, thereby increasing the ability of these families to sustain employment and become self-sufficient.

The Department of Public Social Services and this office support AB 1182. Support for this measure is consistent with existing Board policy to support: 1) legislation to exempt the full value of one vehicle per household and/or a greater portion of a vehicle's value from the CalWORKs vehicle asset limit to ensure that clients have reliable transportation; and 2) proposals to modify asset and/or income eligibility limits for the CalWORKs and the Food Stamp Programs to assist families and individuals impacted by the recession who would otherwise not qualify for these programs. Additionally, support for this measure is consistent with County-supported AB 1058 of 2009 to exempt motor vehicles from the CalWORKs eligibility asset test, eliminate the asset limits for CalWORKs recipients, among other provisions. Therefore, the Sacramento advocates will support AB 1182.

AB 1182 is set for a hearing in the Assembly Human Services Committee on April 26, 2011. The bill is sponsored by the New America Foundation and there is no registered opposition to this measure.

We will continue to keep you advised.

WTF:RA MR:OR:GA:RM:sb

c: All Department Heads Legislative Strategist